

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
vs.)	Criminal No. 03-CR-10377-WGY
)	
)	
ERIC LINO)	

JOINT TO MOTION FOR CONTINUANCE

The United States of America, and defendant ERIC LINO, through his counsel, respectfully request that the Court continue the trial of the above-referenced case, which is currently scheduled to begin on September 27, 2004, to November 15, 2004. The parties also request the Court continue the Final Status Conference, which is currently scheduled for September 20, 2004, to October 20, 2004. The parties further request the Court to exclude from the provisions of the Speedy Trial Act the period of time from September 27, 2004 to November 15, 2004 (excludable delay pursuant to 18 U.S.C. §§ 3161(h)(1)(F) and 3161(h)(8)(A)). The requested delay will afford the parties additional time to prepare for trial and to continue to explore the possibility of resolving this matter without a trial.

On June 2, 2004, this Court scheduled the defendant's trial for September 27, 2004. This was the first scheduled trial date for the defendant's trial. On that date, the Court also excluded from the provisions of the Speedy Trial Act the period of time from December 22, 2003 to September 27, 2004. As a result, no time has elapsed under the provisions of the Speedy Trial Act.

The requested delay is in the interests of justice and outweighs the best interests of the public and the defendant in a speedy trial.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ David Tobin
DAVID G. TOBIN
Assistant U.S. Attorney

/s/ Barry Wilson
BARRY WILSON, Esquire
for defendant ERIC LINO

Date: September 14, 2004